

Appl. No. 09/547,663
Amdt. dated November 22, 2005
Preliminary amendment after RCE

REMARKS

Reconsideration is respectfully requested. Claims 1-3 and 5-19 were present in the application. Claims 1 and 17 are amended herein. Claims 7-16 and 19 are canceled. Claim 4 was previously canceled.

Please consider this filing to be a request to remove the application from suspension and being examination.

This RCE and the above amendment to claim 1 are to respond to the points raised by the Examiner both in the final action and in the advisory action. It is respectfully submitted that in view of this amendment, claims 1-3, 5, 6, 17 and 18 are allowable.

Claim 7 is rejected under 35 U.S.C. §112, second paragraph and 35 U.S.C. §102(b) as anticipated by Waitts (5,956,164). Claims 8-9, 11-14 and 15-16 are rejected under 35 U.S.C. §103(b) as unpatentable over Waitts in view of Cowan and Wreed et al (5,499,118). Claim 10 is rejected under 35 U.S.C. §103(b) as unpatentable over Waitts, Cowan and Wreed et al and further in view of Nishikawa et al (2001/0053004). While applicant respectfully believes there is patentable subject matter, applicant cancels these claims 7-16 herewith without prejudice and with reservation of the right to file continuation applications directed thereto, in order to further the prosecution and place the application into allowable condition.

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The above amendments should address the objections the Examiner raised to claims 1-3, 5, 6, 17 and 18. Applicant's representative attempted to determine what exactly the Examiner meant in the discussion of the allowable subject matter in the advisory action, but since we could not get an explanation, the above amendments are presented to attempt to put the claims into allowable condition.

Applicant intends to file a continuation application to further seek allowance of the subject matter in the canceled claims.

In light of the above noted amendments and remarks, this application is believed in condition for allowance and notice thereof is respectfully solicited. The Examiner is asked to contact applicant's attorney at 503-224-0115 if there are any questions.

Respectfully submitted,



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